

Roy Edgington, Mayor
Shari Whalen, Ward 1
Daniel McCassie, Ward 2
Stan Lau, Ward 3
Susan Seidl, Ward 4
Fran McKay, Ward 5

FERNLEY CITY COUNCIL MEETING AGENDA

Fernley City Hall

595 Silver Lace Blvd. • Fernley, NV 89408
Phone: (775) 784-9830 • Fax: (775) 784-9839

FCC Meeting: September 6, 2017

The Mayor reserves the right to hear agenda items out of order, combine two or more agenda items for consideration, or remove an item from the agenda or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted.

Time Certain: Time certain designates a definite time for the start time of that item. The time certain item may NOT begin earlier than the designated time certain. It may begin later than the designated time, but not earlier.

5:00 p.m. OPEN MEETING – PLEDGE OF ALLEGIANCE

Mayor's statement: "To avoid meeting disruptions, please place cell phones in the silent mode or turn them off during the meeting. All meetings are recorded. When addressing the Council please state your name and speak clearly into the microphone. Thank you for your understanding."

1. INTRODUCTORY ITEMS

1.1. Roll Call

1.2. Public Comment

Public comment is limited to five (5) minutes per person however, the Mayor has discretion to limit public input that is not at the beginning or the end to a lesser time. Items not agendized for this meeting cannot be acted upon other than to place them on future agendas. Public input is prohibited regarding comments, which are not relevant to, or within the authority of, the public body, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering, with the rights of other speakers.

1.3. Approval of the Agenda

2. CONSENT AGENDA:

(PLEASE NOTE: All matters listed under the consent agenda are considered routine, and may be acted upon by the Council members in one motion, and without an extensive hearing. Any member of the Council may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.)

2.1. (Possible Action) Approval Of Voucher Report

Documents:

[VOUCHERS FOR FCC MEETING 090617.PDF](#)

2.2. (Possible Action) Approval of 8/02/2017 Minutes

Documents:

[20170802 FCC MINUTESDRAFT.PDF](#)

2.3. (Possible Action) Approval of Business Licenses

Documents:

[NEW AUG 2017_2.PDF](#)

2.4. Possible Action To Approve The Payment Of \$108,064.70 To TCID For Administrative, District General, Operation and Maintenance Fees For City Owned Parcels and Surface Water Rights.

Documents:

[2017.09.06 TCID OANDM FEES SR.PDF](#)
[2017.09.06 TCID INVOICE OANDM FEES.PDF](#)

2.5. Possible Action to Approve the Will-Serve Request for Cottonwood Elementary for 0.30 ERC'S for Water and 1.09 ERC's for Sewer for Lyon County Parcel 021-171-15 located at 925 Farm District Road.

Documents:

[2017.09.06 WILL SERVE REQUEST COTTONWOOD ELEMENTARY SR.PDF](#)
[WILL SERVE - COTTONWOOD ELEMENTARY.PDF](#)

2.6. Possible action to authorize the execution of the Assignment and Assumption of Beneficial Interest in Water Rights from D&S Limited to Trident Plus, LLC in the amount of 4.28 acre feet.

Documents:

[2017.09.06 DANDS LIMITED TO TRIDENT SR.PDF](#)
[DANDS TO TRIDENT ASSIGNMENT.PDF](#)
[DANDS LIMITED EXHIBITS.PDF](#)

2.7. Possible action to authorize the execution of the Assignment and Assumption of Beneficial Interest in Water Rights from Marc E. Simoncini and Julia R. Simoncini to Trident Plus, LLC in the amount of 12.29 acre feet.

Documents:

[2017.09.06 SIMONCINI TO TRIDENT SR.PDF](#)
[SIMONCINI TO TRIDENT ASSIGNMENT.PDF](#)
[SIMONCINI EXHIBITS.PDF](#)

2.8. Possible action to authorize the execution of a Stipulation and Order

in United States District Court Case No. 3:73-CV-00035-LDG (an appeal by the Pyramid Lake Paiute Tribe of Nevada State Engineer Ruling 6327).

Documents:

[2017.09.06 APPROVAL OF 6327 STIPULATION SR.PDF](#)
[DRAFT STIPULATION AND ORDER TO REMAND PETITION FOR APPEAL SE RULING 6327.PDF](#)
[STATE ENGINEER RULING 6327.PDF](#)
[PLPT PETITION FOR JUDICIAL REVIEW OF RULING 6327 \(12-31-15\).PDF](#)

- 2.9. Possible action to authorize the Mayor to execute a Second Amendment to a 1994 Agreement between the Town of Fernley and Wade/Fernley, L.P. with respect to the provision of water service to certain property owned by Sonterra Development Company, LLC (the successor-in-interest to Wade/Fernley, L.P.).

Documents:

[2017.09.06 APPROVAL OF SONTERRA \(WADE\) 2ND AMENDMENT SR.PDF](#)
[DRAFT SECOND AMENDMENT TO THE 1994 AGREEMENT.PDF](#)

3. REPORTS This item is for various public entity representatives to provide general information to the Council and public. No action will be taken.

- 3.1. Reports by City Staff, City Council and the Mayor, including but not limited to monthly statistical reports by city departments.

4. PRESENTATIONS

- 4.1. Discussion and Possible Action to accept the City of Fernley's Communications Plan for FY 2018 - 2020.

Documents:

[COMMUNICATIONS PLAN STAFF REPORT.PDF](#)
[CITY OF FERNLEY STRATEGIC COMMUNICATIONS PLAN FY 2018 TO FY 2020 - UCED TECHNICAL REPORT 2016-17-02.PDF](#)

- 4.2. Presentation and Discussion of the Water Resource Quarterly Report.

Documents:

[2017.09.06 WATER RESOURCES QUARTERLY REPORT.PDF](#)

5. PUBLIC HEARINGS

- 5.1. Second Reading, Adoption: Bill #259

Discussion and Possible Action to introduce Bill #259 an ordinance

adopting and enacting a new code for the City of Fernley; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective

1. Discussion with City Council & Staff
2. Public Input
3. Additional Discussion with City Council & Staff
4. Council Action or Direction to Staff

Documents:

[MUNICODE STAFFREPORT ADOPTION.PDF](#)
[BILL 259 MUNICIPAL CODE.PDF](#)

5.2. First Reading, Introduction: Bill #260

Discussion and Possible Action to introduce Bill #260 an ordinance amending Fernley Municipal Code Title 10 Business License Regulations, by adding Chapter 5 Licensing of Marijuana Establishments and to allow medical marijuana dispensaries to sell or dispense marijuana and marijuana-infused products at retail; license marijuana cultivation and production facilities to cultivate and produce marijuana and marijuana-infused products; license independent testing laboratories to test marijuana and marijuana-infused products; license distributors to transport marijuana and marijuana-infused products.

1. Discussion with City Council & Staff
2. Public Input
3. Additional Discussion with City Council & Staff
4. Council Action or Direction to Staff

Documents:

[STAFFREPORT BILL 260.PDF](#)
[MARIJUANA ESTABLISHMENTS.PDF](#)

5.3. First Reading, Introduction: Bill #261

Discussion and possible action to introduce Bill #261, as an ordinance amending Title 32, Chapter 49 of the Fernley Municipal Code to permit medical marijuana establishments; to allow medical marijuana dispensaries to sell or dispense marijuana and marijuana-infused products at retail; to allow medical marijuana cultivation and production facilities to cultivate and produce marijuana and marijuana-infused products; to allow independent testing laboratories to test marijuana and marijuana-infused products; and other matters properly related thereto.

Documents:

[MME STAFF REPORT - CC.PDF](#)
[BILL 261 - MEDICAL MARIJUANA ORDINANCE.PDF](#)

5.4. First Reading, Introduction: Bill #262

Discussion and possible action to introduce Bill #262 as an ordinance

authorizing the City of Fernley to enter into a Development Agreement (DA 2017-001) with D. L. G. Associates, LLC, to extend the period of time for Phase II Final Map approval of the Golf Club at Fernley (TSM 05-05), located at 4000 farm district road (APN's: 020-581-03, 020-581-04, and 020-581-05).

Documents:

[DA 2017-001 - CC STAFF REPORT - INTRODUCTION FERNLEY GOLF CLUB.PDF](#)
[DA 2017-001 - ORDINANCE.PDF](#)
[2017 GOLF CLUB AT FERNLEY DA - SIGNED.PDF](#)

6. STAFF REPORTS

- 6.1. Discussion and possible action to create a Capital Improvement Committee and to appoint two (2) members from the City Council to serve on the committee.**

Documents:

[STAFF REPORT - CAPITAL IMPROVEMENT COMMITTEE.PDF](#)

- 6.2. Discussion and possible action to implement a Code Enforcement Task Force and appoint two (2) council members to the Task Force.**

Documents:

[STAFF REPORT - CODE ENFORCEMENT TASK FORCE.PDF](#)

- 6.3. Discussion and Possible Action to provide direction for the City Manager's Office Arts and Culture Task Force, including a possible recommendation to continue or to disband.**

Documents:

[FERNLEY ARTS AND CULTURE TASK FORCE UPDATE 9-6-17.PDF](#)

7. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

These items will be discussed by Mayor and City Council to possibly be placed on a future agenda.

- 7.1. Discussion and Possible Action requesting a future agenda item regarding a clean desert initiative including, but not limited to; penalties for dumping, provisions for target shooting, signage and enforcement. (Councilwoman Whalen's request)**

8. PUBLIC COMMENT

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offensive, inflammatory, irrational or amounting to personal attacks or interfering, with the rights of other speakers.

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

ADJOURNMENT

This notice and agenda is being posted before 9:00 a.m., 8/31/2017 in accordance with NRS 241.020 at the following locations: www.cityoffernley.org, <https://notice.nv.gov>; North Lyon County Fire Protection District, 195 E Main Street; Senior Citizen's Center, 1170 W. Newlands Drive; Fernley Post Office 315 E Main Street; and Fernley City Hall, 595 Silver Lace Blvd. To obtain supporting material for this agenda please visit the City of Fernley website at www.cityoffernley.org or contact Kim Swanson, City Clerk, inside City Hall at 595 Silver Lace Blvd, Fernley, NV 89408, email cityclerk@cityoffernley.org or call (775) 784-9830. Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify Fernley City Hall, at least 24 hours in advance at (775) 784-9830 or email cityclerk@cityoffernley.org